



10269-20CON  
(HSX/001 CONS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Timothy Maxwell Keiser, et al.  
Application No. : 10/655,409 Confirmation No. : 6575  
Filed : September 4, 2003  
For : COMPUTER-IMPLEMENTED SECURITIES  
TRADING SYSTEM WITH A VIRTUAL  
SPECIALIST FUNCTION  
Group Art Unit : 3623  
Examiner : Not Yet Assigned

New York, New York 10020  
June 2, 2004

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.56 and 1.97, applicants hereby make the documents listed in Appendices A, B, C, D, E, F, G, H, I, J and K attached hereto of record in the above-identified patent application.

Documents in Appendix A, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally submitted on April 11, 1996, and are of record, in parent U.S. Patent Application No. 08/620,906, filed March 25, 1996, which issued as Patent No. 5,950,176 on September 7, 1999, from which priority is claimed.

Documents in Appendix B, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally cited on April 22, 1998, and are of record, in parent U.S. Patent Application No. 08/620,906, filed March 25, 1996, which issued as Patent No. 5,950,176 on September 7, 1999, from which priority is claimed.

Documents in Appendix C, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally cited on June 7, 1999, and are of record, in parent U.S. Patent Application No. 08/620,906, filed March 25, 1996, which issued as Patent No. 5,950,176 on September 7, 1999, from which priority is claimed.

Documents in Appendix D, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally submitted on July 6, 2000, and are of record in parent U.S. Patent Application No. 09/465,607, filed December 17, 1999, from which priority is claimed.

Documents in Appendix E, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally cited on September 12, 2001, and June 25, 2002, and are of record, in parent U.S. Patent Application No. 09/465,607, filed December 17, 1999, from which priority is claimed.

Documents in Appendix F, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally submitted on January 23, 2002, and are of record, in parent U.S. Patent Application No. 09/184,571, filed November 2, 1998, which issued as Patent No. 6,505,174 on January 7, 2003, from which priority is claimed.

Documents in Appendix G, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally cited on August 2, 2002, and are of record, in parent U.S. Patent Application No. 09/184,571, filed November 2, 1998, which issued as Patent No. 6,505,174 on January 7, 2003, from which priority is claimed.

Documents in Appendix H, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally cited on December 1, 1998, and are of record, in parent U.S. Patent Application No. 08/620,906, filed March 25, 1996, which issued as Patent No. 5,950,176 on September 7, 1999, from which priority is claimed.

Documents in Appendix I, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally submitted on October 25, 2002, and are of record in, parent U.S. Patent Application No. 09/465,607, filed December 17, 1999, from which priority is claimed.

Documents in Appendix J, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally submitted on May 12, 2004, and are of record, in parent U.S. Patent Application No. 09/465,607, filed December 17, 1999, from which priority is claimed.

Documents in Appendix K, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were originally submitted on June 1, 2004, and are of record, in parent U.S. Patent Application No. 09/465,607, filed December 17, 1999, from which priority is claimed.

Accordingly, pursuant to 37 C.F.R. § 1.98(d), copies of documents in appendices A-K are not provided.

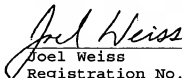
Applicants believe that no fee is due at this time because this Statement is being submitted before the mailing of a First Office Action on the merits. See 37 C.F.R. § 1.97(b)(3). However, if any fee is due in connection with this Information Disclosure Statement, the Director is hereby authorized to charge payment of any additional fees required in connection with this Information Disclosure Statement to Deposit Account No. 06-1075. A duplicate copy of this Information Disclosure Statement is enclosed herewith.

It is respectfully requested that these documents be (1) fully considered by the Patent and Trademark Office during examination of this application; and (2) printed on any patent which may issue on this application.

Applicants request that a copy of Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

Consideration of the foregoing in relation to this patent application is respectfully requested.

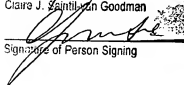
Respectfully submitted,

  
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P.O. Box 1450  
Alexandria, VA 22313-1450 on

6/2/04  
Claire J. Saint-John Goodman

  
Signature of Person Signing



# APPENDIX A

## U.S. Patent Documents

|           |            |                     |
|-----------|------------|---------------------|
| 3,499,646 | 03/10/1970 | Burgess, Jr. et al. |
| 4,597,046 | 06/24/1986 | Musmanno et al.     |
| 5,270,922 | 12/14/1993 | Higgins             |
| 5,297,032 | 03/22/1994 | Trojan et al.       |
| 4,674,044 | 06/16/1987 | Kalmus et al.       |



**APPENDIX B**

U.S. Patent Documents

|           |            |                      |
|-----------|------------|----------------------|
| 3,573,747 | 04/6/1971  | Adams, C. et al.     |
| 4,903,201 | 02/20/1990 | Wagner, S.           |
| 4,980,826 | 12/25/1990 | Wagner, S.           |
| 5,508,913 | 04/16/1996 | Yamamoto, K. et al.  |
| 5,692,233 | 11/25/1997 | Garman, M.           |
| 5,727,165 | 03/10/1998 | Ordish, C. et al.    |
| 3,581,072 | 05/25/1971 | Nymeyer, F.          |
| 4,412,287 | 10/25/1983 | Braddock, III, W.    |
| 5,077,665 | 12/31/1991 | Silverman, D. et al. |
| 5,101,353 | 03/31/1992 | Lupien, W. et al.    |
| 5,136,501 | 08/04/1992 | Silverman, D. et al. |
| 5,557,517 | 09/17/1996 | Daughterty, III, V.  |
| 5,689,652 | 11/18/1997 | Lupien, W. et al.    |



**APPENDIX C**

**U.S. Patent Documents**

5,375,055  
5,905,974

12/20/1994  
05/18/1999

Togher et al.  
Fraser et al.

**APPENDIX D**U.S. Patent Documents

|           |            |                 |
|-----------|------------|-----------------|
| 4,823,265 | 04/18/1989 | Nelson          |
| 5,497,317 | 03/05/1996 | Hawkins, et al. |
| 5,819,238 | 10/06/1998 | Fernholz        |
| 5,950,176 | 09/07/1999 | Keiser et al.   |
| 6,012,046 | 01/04/2000 | Lupien, et al.  |
| 6,016,483 | 01/18/2000 | Rickard, et al. |

Other Documents

"A New Craze for March's Maddest: Online 'Trading' of NCAA Shares", Barbara Martinez, The New York Times Company: Abstracts, March 8, 1994.





**APPENDIX E**

U.S. Patent Documents

5,724,524

03/03/1998

Hunt et al.

**APPENDIX F****U.S. Patent Documents**

|           |            |                  |
|-----------|------------|------------------|
| 5,924,082 | 07/13/1999 | Silverman et al. |
| 6,014,643 | 01/11/2000 | Minton           |
| 6,029,146 | 02/22/2000 | Hawkins, et al.  |

**APPENDIX G**Foreign Patent Documents

|              |            |         |
|--------------|------------|---------|
| DE3539545A1  | 07/31/1986 | Germany |
| WO98/58333A1 | 12/23/1998 | PCT     |

Other Documents

Ye, Jia, "An Investigation of Market Fragmentation and the Specialist's Quotation Strategy (Information Risk, Liquidity, Bid Ask Spread", 1995, Volume 57/03-A of Dissertation Abstracts International, p. 1260, 97 pgs.

# APPENDIX H

## Other Documents

Freund, William C. "Trading stock around the clock: the future growth of global electronic markets," California Management Review, v. 34, n. 1, pg. 87, 1991.

Hakansson, Nils H. et al. "On the feasibility of automated market making by a programmed specialist," Journal of Finance, vol. XL, no. 1, pgs. 1-20, 3/85.

Bloomfield, Robert. "The interdependence of reporting discretion and informational efficiency in laboratory markets," The Accounting Review, v. 71, pgs. 493-511, 10/96.

Lindsey, Richard R. and Ulrike Schaede. "Specialist vs. Saitori: market-making in New York and Tokyo," Financial Analysts Journal, v. 48, n. 4, pgs. 48-57, 7/92.

Chan, K.C. et al. "Market structure and the intraday pattern of bid-ask spreads for NASDAQ securities," The Journal of Business, v. 68, n. 1, pg. 35, 1/95.

Howard, Barbara. "The trade: technology aims to take the final step," Institutional Investor, v. 24, n. 1, pg. S15, 1/91.

**APPENDIX I**

Other Documents

The Internet Bull Market in Movies, Newsweek, Yahlin Chang, February 3, 1997, pgs. 3.

SunSpot Maryland's Online Community, Taking Stock at the Box Office, Alex Dubin, printed on 8/19/97, 5 pgs.

Insider Trading - Hollywood Style, Entrepreneurial Edge Online, OnlinePress.com, Matthew Ragas, February 4, 1998, 3 pgs.

Amex.com, The Street.com, Across the Street: Buying Stock in Hollywood, Jeffrey L. Newman, November 17, 1997, 2 pgs.

Engineers, Hollywood Stock Exchange, printed on 11/13/97, 2 pgs.

The New York Times, The Hollywood Stock Market: You Can't Lose, Laura Pedersen-Pietersen, January 11, 1998, 3 pgs.

The Rogue Market Journal, The Power Play on Popular Culture, A Letter from the Editor, print on 12/31/96, 18 pgs.

APPENDIX JU.S. Patent Documents

|           |            |               |
|-----------|------------|---------------|
| 5,237,500 | 08/17/1993 | Perg, et al.  |
| 5,537,314 | 07/16/1996 | Kanter        |
| 5,826,241 | 10/20/1998 | Stein, et al. |
| 5,913,203 | 06/15/1999 | Wong, et al.  |
| 5,845,266 | 12/01/1998 | Lupien et al. |
| 6,578,010 | 06/10/2003 | Teacherson    |

Foreign Patent Documents

|              |            |     |
|--------------|------------|-----|
| WO93/10503A1 | 05/27/1993 | PCT |
| WO96/41315A1 | 12/19/1996 | PCT |
| WO01/39056A1 | 05/31/2001 | PCT |
| WO01/16825A1 | 03/08/2001 | PCT |

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Cones, John W. and Wilke, Pete, "Investor Financing of Independent Film", 1998.

"Digital Commerce on Increase", Publishing Technology Review, v2, n2, 1/95.

Jack Feuer: Disc Driven. Findarticles.com; July 12, 1999.

Saul Hansell, "Today, Shoppers on Internet Get Access to Electronic Cash", The New York Times, Section d, Page 4, Col. 5, 10/95.

Peter H. Lewis, "Attention Internet Shoppers: E-Cash Is Here", The New York Times, Section D, Page 4, Col. 4, 10/94.

Lights, Camera, Capital On-line Investing, Debra Kaufman, WIRED Magazine, May 2001, 1 sheet.

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Nash, Kim S., "Cybercash at risk: Money laws lacking", Computerworld, 12/96.

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VENTURA COUNTY REVIEW; The Los Angeles Times; Dec. 15, 1998.

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<http://www.avary.com/killingzoe/details/interview.kz.millimetermag.html>

Canadians turn to co-finance, pre-sales for TV prod'n coin. Findarticles.com, Jan. 19, 1998,  
[http://www.findarticles.com/cf\\_0/m1312/n10\\_v369/20371093/print.jhtml](http://www.findarticles.com/cf_0/m1312/n10_v369/20371093/print.jhtml)

**APPENDIX K**

**Other Documents**

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FILM FINANCES, INC. The World Leader in Completion Guarantees. Sample Completion Guaranty; August, 2000 Internet print-out



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
10269-20CON  
(HSX/001CON5)APPLN. NO.  
10/655,409INFORMATION DISCLOSURE  
STATEMENT BY APPLICANTAPPLICANTS  
Timothy Maxwell Keiser,  
et al.CONF. NO.  
6575FILING DATE  
September 4, 2003GROUP ART UNIT  
3623

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE       | NAME                 | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|---------------------|--------------------|------------|----------------------|-------|----------|-------------------------------|
|                     | 3,499,646          | 03/10/1970 | Burgess, Jr. et al.  | 273   | 1        |                               |
|                     | 3,573,747          | 04/06/1971 | Adams, C. et al.     | 340   | 172.5    |                               |
|                     | 3,581,072          | 05/25/1971 | Nymeyer, F.          | 235   | 152      |                               |
|                     | 4,412,287          | 10/25/1983 | Braddock, III, W.    | 364   | 408      |                               |
|                     | 4,597,046          | 06/24/1986 | Musmanno et al.      | 364   | 408      |                               |
|                     | 4,674,044          | 06/16/1987 | Kalmus et al.        | 364   | 408      |                               |
|                     | 4,823,265          | 04/18/1989 | Nelson               | 364   | 408      |                               |
|                     | 4,903,201          | 02/20/1990 | Wagner, S.           | 364   | 408      |                               |
|                     | 4,980,826          | 12/25/1990 | Wagner, S.           | 364   | 408      |                               |
|                     | 5,077,665          | 12/31/1991 | Silverman, D. et al. | 364   | 408      |                               |
|                     | 5,101,353          | 03/31/1992 | Lupien, W. et al.    | 364   | 408      |                               |
|                     | 5,136,501          | 08/04/1992 | Silverman, D. et al. | 364   | 408      |                               |
|                     | 5,237,500          | 08/17/1993 | Perg, et al.         | 364   | 408      |                               |
|                     | 5,270,922          | 12/14/1993 | Higgins              | 364   | 408      |                               |
|                     | 5,297,032          | 03/22/1994 | Trojan et al.        | 364   | 408      |                               |
|                     | 5,375,055          | 12/20/1994 | Togher et al.        | 364   | 408      |                               |
|                     | 5,497,317          | 03/05/1996 | Hawkins, et al.      | 364   | 408      |                               |
|                     | 5,508,913          | 04/16/1996 | Yamamoto, K. et al.  | 364   | 408      |                               |
|                     | 5,537,314          | 07/16/1996 | Kanter               | 364   | 406      |                               |
|                     | 5,557,517          | 09/17/1996 | Daugherty, III, V.   | 364   | 408      |                               |
|                     | 5,689,652          | 11/18/1997 | Lupien, W. et al.    | 395   | 237      |                               |
|                     | 5,692,233          | 11/25/1997 | Garman, M.           | 705   | 36       |                               |
|                     | 5,724,524          | 03/03/1998 | Hunt et al.          | 395   | 237      |                               |
|                     | 5,727,165          | 03/10/1998 | Ordish, C. et al.    | 395   | 237      |                               |
|                     | 5,819,238          | 10/06/1998 | Fernholz             | 705   | 36       |                               |
|                     | 5,826,241          | 10/20/1998 | Stein, et al.        | 705   | 26       |                               |
|                     | 5,905,974          | 05/18/1999 | Fraser et al.        | 705   | 37       |                               |
|                     | 5,913,203          | 06/15/1999 | Wong, et al.         | 705   | 39       |                               |
|                     | 5,845,266          | 12/01/1998 | Lupien et al.        | 705   | 37       |                               |
|                     | 5,924,082          | 07/13/1999 | Silverman et al.     | 705   | 37       |                               |
|                     | 5,950,176          | 09/07/1999 | Keiser et al.        | 705   | 37       |                               |
|                     | 6,012,046          | 01/04/2000 | Lupien, et al.       | 705   | 37       |                               |
|                     | 6,014,643          | 01/11/2000 | Minton               | 705   | 37       |                               |
|                     | 6,016,483          | 01/18/2000 | Rickard, et al.      | 705   | 37       |                               |

EXAMINER

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DATE CONSIDERED

01/21/2009

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.G./

FORM PT-1449 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

**ATTY. DOCKET NO.**  
10269-20CON  
(HSX/001CON5)

**APPLN. NO.**  
10/655,409

**APPLICANTS**  
Timothy Maxwell Keiser,  
et al.

**CONF. NO.**  
6575

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**U.S. PATENT DOCUMENTS**

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|---------------------|--------------------|------------|-----------------|-------|----------|-------------------------------|
|                     | 6,029,146          | 02/22/2000 | Hawkins, et al. | 705   | 35       |                               |
|                     | 6,578,010          | 06/10/2003 | Teacherson      | 705   | 14       |                               |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE       | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|---------------------|-----------------|------------|---------|-------|----------|-------------|----|
|                     |                 |            |         |       |          | YES         | NO |
|                     | WO93/10503A1    | 5/27/1993  | PCT     |       |          |             |    |
|                     | WO96/41315A1    | 12/19/1996 | PCT     |       |          |             |    |
|                     | WO98/58333A1    | 12/23/1998 | PCT     |       |          |             |    |
|                     | WO01/39056A1    | 05/31/2001 | PCT     |       |          |             |    |
|                     | WO01/16825A1    | 03/08/2001 | PCT     |       |          |             |    |
|                     | DE3539545A1     | 07/31/1986 | Germany |       |          |             |    |

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

| EXAMINER<br>INITIAL |  |
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|                     | Amex.com, The Street.com, Across the Street: Buying Stock in Hollywood, Jeffrey L. Newman, November 17, 1997, 2 pgs.   |
|                     | Bloomfield, Robert. "The interdependence of reporting discretion and informational efficiency in laboratory markets," The Accounting Review, v. 71, pgs. 493-511, 10/96. |
|                     | Chan, K.C. et al. "Market structure and the intraday pattern of bid-ask spreads for NASDAQ securities," The Journal of Business, v. 68, n. 1, pg. 35, 1/95.              |
|                     | Cones; 43 Ways to Finance Your Feature Film. 1995. pages 47 and 45.  |
|                     | Cones, John W. and Wilke, Pete, "Investor Financing of Independent Film", 1998.  |
|                     | "Digital Commerce on Increase", Publishing Technology Review, v2, n2, 1/95.  |
|                     | Engineers, Hollywood Stock Exchange, printed on 11/13/97, 2 pgs.   |
|                     | Jack Feuer: Disc Driven. Findarticles.com; July 12, 1999.  |
|                     | Freund, William C. "Trading stock around the clock: the future growth of global electronic markets," California Management Review, v. 34, n. 1, pg. 87, 1991.            |
|                     | Hakansson, Nils H. et al. "On the feasibility of automated market making by a programmed specialist," Journal of Finance, vol. XL, no. 1, pgs. 1-20, 3/85.               |

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|                     | Saul Hansell, "Today, Shoppers on Internet Get Access to Electronic Cash", The New York Times, Section d, Page 4, Col. 5, 10/95.  |
|                     | Howard, Barbara. "The trade: technology aims to take the final step," Institutional Investor, v. 24, n. 1, pg. S15, 1/91.   |
|                     | Insider Trading - Hollywood Style, Entrepreneurial Edge Online, OnlinePress.com, Matthew Ragas, February 4, 1998, 3 pgs.  |
|                     | The Internet Bull Market in Movies, Newsweek, Yahlin Chang, February 3, 1997, pgs. 3.   |
|                     | Peter H. Lewis, "Attention Internet Shoppers: E-Cash Is Here", The New York Times, Section D, Page 4, Col. 4, 10/94.  |
|                     | Lights, Camera, Capital On-line Investing, Debra Kaufman, WIRED Magazine, May 2001, 1 sheet.  |
|                     | Lindsey, Richard R. and Ulrike Schaeede. "Specialist vs. Saitori: market-making in New York and Tokyo," Financial Analysts Journal, v. 48, n. 4, pgs. 48-57, 7/92.  |
|                     | MediaX and CMC International Records Team Up for Exclusive Download Campaigns with Major Artists. PR Newswire, Dec. 9, 1999.  |
|                     | Nash, Kim S., "Cybercash at risk: Money laws lacking", Computerworld, 12/96.  |
|                     | "A New Craze for March's Maddest: Online 'Trading' of NCAA Shares", Barbara Martinez, The New York Times Company: Abstracts, March 8, 1994.   |
|                     | The New York Times, The Hollywood Stock Market: You Can't Lose, Laura Pedersen-Pietersen, January 11, 1998, 3 pgs.  |
|                     | The Rogue Market Journal, The Power Play on Popular Culture, A Letter from the Editor, print on 12/31/96, 18 pgs.   |
|                     | Michael Schrage, "Firms Quietly Forming Own Economies", San Jose Mercury News, 7/92.  |
|                     | SunSpot Maryland's Online Community, Taking Stock at the Box Office, Alex Dubin, printed on 8/19/97, 5 pgs.   |
|                     | VENTURA COUNTY REVIEW: The Los Angeles Times; Dec. 15, 1998.  |
|                     | Ye, Jia, "An Investigation of Market Fragmentation and the Specialist's Quotation Strategy (Information Risk, Liquidity, Bid Ask Spread)", 1995, Volume 57/03-A of Dissertation Abstracts International, p. 1260, 97 pgs. |
|                     | American Film Market; Hollywoodnet.com; 1997, <a href="http://www.hollywoodnet.com/conferences/afm97.htm">http://www.hollywoodnet.com/conferences/afm97.htm</a>   |
|                     | Astral Media The Harold Greenberg Fund's Equity Investment Program; 1992, <a href="http://www.tmn.ca/hgfund/pdf/fundEquityJune2002.pdf">http://www.tmn.ca/hgfund/pdf/fundEquityJune2002.pdf</a>                           |

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|  |  |  |                          |
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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| EXAMINER<br>INITIAL |   |
|---------------------|---|
|                     | Avary's Domain - Interviews - Multimater Magazine Interview, Mar. 3, 1994; pages 9-10,<br><a href="http://www.avary.com/killingzoe/details/interview.kz.millimetermag.html">http://www.avary.com/killingzoe/details/interview.kz.millimetermag.html</a> |
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EXAMINER

/Clement Graham/

DATE CONSIDERED

01/21/2009

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.G./